

**From:** Brett Presnell  
**To:** Microsoft ATR  
**Date:** 1/23/02 6:07pm  
**Subject:** Microsoft Settlement

To Whom It May Concern,

We disagree with the proposed settlement in the Microsoft antitrust case. We are particularly concerned with provisions that do nothing to enable open source ("free") software to compete effectively with Microsoft. We say "enable" because Microsoft's monopolistic, anticompetitive practices have largely prevented not only traditional software businesses but also free software from maintaining a viable position in many areas of the market. Thus it would be misleading to suggest that anyone's ability to compete should be "protected," since there is currently little to protect.

Some relevant discussion of the effect of the settlement on open source software can be found in the following documents. We agree strongly with the viewpoints expressed in these documents.

November 5, 2001 Letter from Ralph Nader and James Love to Judge Colleen Kollar-Kotelly regarding the USDOJ/Microsoft proposed settlement.

<http://www.cptech.org/at/ms/rnj12kollarkotellynov501.html>

Robert Cringely column concerning the settlement.

<http://www.pbs.org/cringely/pulpit/pulpit20011206.html>

Some suggestions from Richard Stallman concerning possible remedies.

<http://www.gnu.org/philosophy/microsoft-antitrust.html>

We will also be co-signing the following letter from Dan Kegel:

<http://www.kegel.com/remedy/letter.html>

Microsoft has been found guilty of antitrust violations. To support the public's interest in the critically important areas of computing and networking, Microsoft must be punished and their monopoly must be dismantled. To quote Robert H. Bork, former U.S. Solicitor General and Appellate Judge (see <http://www.procompetition.org/headlines/120701.html>)

I continue to believe that a divestiture of Microsoft would have been the most efficient way to restore competition

but barring divestiture, the settlement must be greatly strengthened to prevent future anticompetitive practices by Microsoft and hopefully

to reverse at least some of the effects of their past and present anticompetitive practices.

Sincerely,

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